

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kenneth P. HINCKLEY et al.

Serial No.: 09/804,383

Filed: March 13, 2001

For: METHOD FOR PROVIDING FEEDBACK
RESPONSIVE TO SENSING A PHYSICAL
PRESENCE PROXIMATE TO A CONTROL
OF AN ELECTRONIC DEVICE

Atty. Docket No.: 003797.00060

Group Art Unit: 2674

Examiner: Dinh, D.

Confirmation No.: 1177

LETTER

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Initialed copies of the PTO-1449 Form for the Information Disclosure Statements filed on July 13, 2001, May 24, 2002 and October 4, 2002 have not been returned to the undersigned with any office action to date.

In this regard, Applicants have discovered that the Examiner apparently examining the instant application and related application serial no. 09/804,496 concurrently, as evidenced by the closeness of the mailing dates of the office actions in these applications, inadvertently commingled some PTO-1449 Forms filed in the instant application with the related application. Specifically, the office action mailed December 18, 2002 in related application serial no. 09/804,496 included PTO-1449 Forms identifying the instant application and not related application serial no. 09/804,496. Namely, an initialed copy of the PTO-1449 Form filed with the Information Disclosure Statement dated July 13, 2001 in the instant application was returned (essentially citing the same references as identified in the PTO Form 1449s provided in the related application) and an initialed copy of the PTO-1449 Form filed with the Information Disclosure Statement on May 24, 2002 in the instant application was returned with the December 18, 2002 office action in the related application serial no. 09/804,496.

To finally resolve the above issues, applicants submit herewith evidence of the filing of the referenced Information Disclosure Statements including stamped post cards. Applicants respectfully request that the Examiner return initialed copies of the PTO-1449 Forms filed with the Information Disclosure Statements.

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: May 8, 2006

By: /Gary D. Fedorochko/
Gary D. Fedorochko
Registration No. 35,509

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001

☒ PATENT ☐ DESIGN

B&W Ref.

03797.00060

Date

10/4/02

☐ HAND CARRY Group/Section

Bldg

Rm

Serial/Patent No.

09/804,383

Inventor

Hynckley et al

Atty/Sec

PBK/GDF/dah

Client

Microsoft Corp.

Title

Method for providing feedback responsive to sensing a physical presence proximate...

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

☐ total pp Spec., including: # of Claims

(# of independent claims): ☐ Abstract

☐ Drawings: ☐ Formal ☐ Informal

of distinct sheets: Figs.

☐ Declaration/Power of Attorney: ☐ Executed ☐ Unexecuted

☐ Assignment w/PTO Cover Sheet

☐ IDS w/PTO 1449 ☐ References ☐ w/Fee

☐ Preliminary Amendment

☐ Priority Claim (Foreign or U.S. Provisional. B&W #)

☐ Sequence Listing: ☐ Diskette ☐ Paper

☐ Amendment ☐ Response: OA dtd

☐ Petition for Extension of Time until

☐ CPA ☐ RCE ☐ w/Ext of Time: OA dtd

☐ Request for Approval of Drawing Changes

☐ Notice of Appeal & Fee

☐ Brief: ☐ Appeal & Fee ☐ Reply

☐ Request for Oral Hearing

☐ Issue Fee ☐ Advance Patent Copies (# ordered)

Notice of Allowance dtd

☐ Amendment under 37 CFR 1.312

☐ Request for Certificate of Correction

☐ Transmittal ☐ Fee Transmittal w/Auth. to Charge Deposit Acct.

☐ Certificate of Mailing

☐ Check # for \$

☒ Supplemental Information

☒ Disclosure Statement

☒ Under 37 CFR 1.97(b)

☒ w/reference

Country

Appl. #

Date

☐ w/Foreign Priority Document(s)

☐ Application: ☐ CIP ☐ Continuation ☐ Divisional

Parent Ser. No. B&W#

☐ U.S. Provisional pp Spec/Claims; Cover Sheet

☐ Response to Missing Parts/Requirements dtd

☐ Response to Notice to File Corrected Appln. Papers dtd

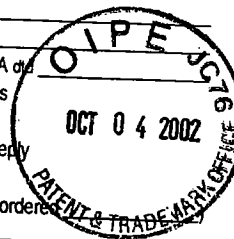
☐ Request for Expedited Foreign Filing License

☐ Request for Corrected: ☐ Filing Receipt

☐ Response to Restriction/Election Requirement

☐ Assignment

(2)



B&W Rev. 501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kenneth P. HINCKLEY et al.

Serial No.: 09/804,383

Filed: March 13, 2001

For: METHOD FOR PROVIDING FEEDBACK
RESPONSIVE TO SENSING A PHYSICAL
PRESENCE PROXIMATE TO A CONTROL
OF AN ELECTRONIC DEVICE

Atty. Docket No.: 003797.00060

Group Art Unit: 2674

Examiner: R. Hjerpe

Confirmation No.: 1177

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b) or (c)Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with Applicants' duty of disclosure, the following information is submitted for consideration by the United States Patent and Trademark Office in connection with the above-captioned application. The information is identified on the attached PTO 1449 form.

Applicants do not waive any right to take appropriate action to establish patentability over the listed documents should they be applied as references against the claims of the present application.

No item of information in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this information disclosure statement.

The reference(s) contained in this information disclosure statement were cited by the Examiner in related application U.S. Serial No. 09/543,723 in an Office Action dated September 4, 2002.

It is respectfully requested that the Examiner fully consider each of the documents, initial the enclosed Form PTO-1449 in the appropriate place to indicate that the document has been considered, and return a copy of the initialed form to the undersigned in accordance with MPEP Section 609.

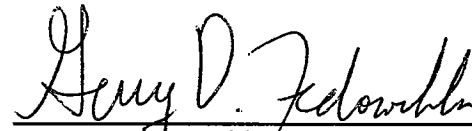
Applicants believe that no fee is necessary pursuant to 37 C.F.R. § 1.97(b) or (c). However, if a fee is due, the Office is authorized to charge Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: October 4, 2002

By:



Gary D. Fedorochko
Registration No. 35,509

1001 G Street, N.W.
Washington, D.C. 20001-4597
(202) 508-9100

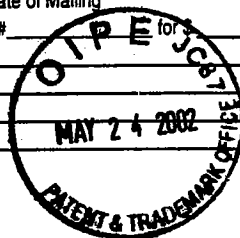
GDF:PAB

☒ PATENT ☐ DESIGN B&W Ref. 003797.00060 Date 5-24-02
☐ HAND CARRY Group/Section _____ Bldg _____ Rm _____
Serial/Patent No. 09/804,383 Atty/Sec GDP/lab
Inventor HINKLEY et al Client MS
Title _____

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

☐ total pp Spec., including : # of Claims _____
(# of independent claims _____): ☐ Abstract
☐ Drawings : ☐ Formal ☐ Informal
of distinct sheets _____: Figs. _____
☐ Declaration/Power of Attorney : ☐ Executed ☐ Unexecuted
☐ Assignment w/PTO Cover Sheet
☒ IDS w/PTO 1449 ☒ References ☐ w/Fee
☐ Preliminary Amendment
☐ Priority Claim (Foreign or U.S. Provisional. B&W # _____)
Country _____ Appl. # _____ Date _____
☐ w/Foreign Priority Document(s)
☐ Application : ☐ CIP ☐ Continuation ☐ Divisional
Parent Ser. No. _____ B&W# _____
☐ U.S. Provisional _____ pp Spec/Claims; Cover Sheet
☐ Response to Missing Parts/Requirements dtd _____
☐ Response to Notice to File Corrected Appln. Papers dtd _____
☐ Request for Expedited Foreign Filing License
☐ Request for Corrected : ☐ Filing Receipt ☐ Assignment
☐ Response to Restriction/Election Requirement

☐ Sequence Listing : ☐ Diskette ☐ Paper
☐ Amendment ☐ Response : OA dtd _____
☐ Petition for Extension of Time until _____
☐ CPA ☐ RCE ☐ w/Ext of Time : OA dtd _____
☐ Request for Approval of Drawing Changes
☐ Notice of Appeal & Fee
☐ Brief : ☐ Appeal & Fee ☐ Reply
☐ Request for Oral Hearing
☐ Issue Fee ☐ Advance Patent Copies (# ordered _____)
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☐ Amendment under 37 CFR 1.312
☐ Request for Certificate of Correction
☐ Transmittal ☐ Fee Transmittal w/Auth. to Charge Deposit Acct.
☐ Certificate of Mailing
☐ Check # _____



B&W Rev. 5/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kenneth P. HINCKLEY et al.

Serial No.: 09/804,383

Filed: March 13, 2001

For: METHOD FOR PROVIDING FEEDBACK
RESPONSIVE TO SENSING A PHYSICAL
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OF AN ELECTRONIC DEVICE

Atty. Docket No.: 003797.00060

Group Art Unit: 2674

Examiner: R. Hjerpe

Confirmation No.: 1177

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with Applicants' duty of disclosure, the following information is submitted for consideration by the United States Patent and Trademark Office in connection with the above-captioned application. The information is identified on the attached PTO 1449 form.

Applicants do not waive any right to take appropriate action to establish patentability over the listed documents should they be applied as references against the claims of the present application.

The reference(s) contained in this information disclosure statement were cited by the Examiner in related application U.S. Serial No. 09/543,723 in an Office Action dated May 2, 2002.

It is respectfully requested that the Examiner fully consider each of the documents, initial the enclosed Form PTO-1449 in the appropriate place to indicate that the document has been considered, and return a copy of the initialed form to the undersigned in accordance with MPEP Section 609.

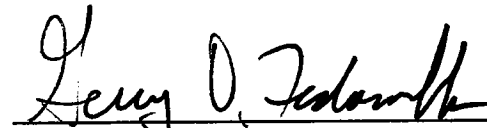
Applicants believe that no fee is necessary pursuant to 37 C.F.R. § 1.97(b). However, if a fee is due, the Office is authorized to charge Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: May 24, 2002

By:

A handwritten signature in black ink, appearing to read "Gary D. Fedorochko", is written over a horizontal line.

Gary D. Fedorochko
Registration No. 35,509

1001 G Street, N.W.
Washington, D.C. 20001-4597
(202) 508-9100

GDF:lab

☒ PATENT ☐ DESIGN B&W Ref. 3797.00060 Date 7-13-01
☐ HAND CARRY Group/Section _____ Bldg _____ Rm _____
Serial/Patent No. 07/804,363 Atty/Sec PB/GDF/146
Inventor Hinckley et al Client MS
Title _____

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

<input type="checkbox"/> _____ total pp Spec., including : # of Claims _____ (# of independent claims _____); <input type="checkbox"/> Abstract	<input type="checkbox"/> Sequence Listing : <input type="checkbox"/> Diskette <input type="checkbox"/> Paper
<input type="checkbox"/> Drawings : <input type="checkbox"/> Formal <input type="checkbox"/> Informal # of distinct sheets _____ : Figs. _____	<input type="checkbox"/> Amendment <input type="checkbox"/> Response : OA dtd _____
<input type="checkbox"/> Declaration/Power of Attorney : <input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted	<input type="checkbox"/> Petition for Extension of Time until _____
<input type="checkbox"/> Assignment w/PTO Cover Sheet	<input type="checkbox"/> CPA <input type="checkbox"/> RCE <input type="checkbox"/> w/Ext of Time : OA dtd _____
<input checked="" type="checkbox"/> IDS w/PTO 1449 <input checked="" type="checkbox"/> References <input type="checkbox"/> w/Fee <u>Supp</u>	<input type="checkbox"/> Request for Approval of Drawing Changes
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Notice of Appeal & Fee
<input type="checkbox"/> Priority Claim (Foreign or U.S. Provisional. B&W # _____)	<input type="checkbox"/> Brief : <input type="checkbox"/> Appeal & Fee <input type="checkbox"/> Reply
Country _____ Appl. # _____ Date _____	<input type="checkbox"/> Request for Oral Hearing
<input type="checkbox"/> w/Foreign Priority Document(s)	<input type="checkbox"/> Issue Fee <input type="checkbox"/> Advance Patent Copies (# ordered _____)
<input type="checkbox"/> Application : <input type="checkbox"/> CIP <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional	Notice of Allowance dtd _____
Parent Ser. No. _____ B&W# _____	<input type="checkbox"/> Amendment under 37 CFR 1.312
<input type="checkbox"/> U.S. Provisional _____ pp Spec/Claims; Cover Sheet	<input type="checkbox"/> Request for Certificate of Correction
<input type="checkbox"/> Response to Missing Parts/Requirements dtd _____	<input type="checkbox"/> Transmittal <input type="checkbox"/> Fee Transmittal w/Auth. to Charge Deposit Acct.
<input type="checkbox"/> Response to Notice to File Corrected Appin. Papers dtd _____	<input type="checkbox"/> Certificate of Mailing
<input type="checkbox"/> Request for Expedited Foreign Filing License	<input type="checkbox"/> Check # _____ for \$ _____
<input type="checkbox"/> Request for Corrected : <input type="checkbox"/> Filing Receipt <input type="checkbox"/> Assignment	<input type="checkbox"/> _____
<input type="checkbox"/> Response to Restriction/Election Requirement	<input type="checkbox"/> _____

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kenneth P. HINCKLEY et al.

Serial No.: 09/804,383

Filed: March 13, 2001

For: METHOD FOR PROVIDING FEEDBACK
RESPONSIVE TO SENSING A PHYSICAL
PRESENCE PROXIMATE TO A CONTROL
OF AN ELECTRONIC DEVICE

Atty. Docket No.: 03797.00060

Group Art Unit: 2673

Examiner: Unknown

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with Applicants' duty of disclosure, the following information is submitted for consideration by the United States Patent and Trademark Office in connection with the above-captioned application. The information is identified on the attached PTO 1449 form.

A typographical error in a reference citation in the Information Disclosure Statement and PTO-1449 submitted concurrently with the instant application has been noted. The US reference noted on the PTO-1449 as "5,977,397" should have been cited as "4,977,397." Applicants have cited and are submitting the correct reference herein.

Applicants do not waive any right to take appropriate action to establish patentability over the listed documents should they be applied as references against the claims of the present application.

It is respectfully requested that the Examiner fully consider each of the documents, initial the enclosed Form PTO-1449 in the appropriate place to indicate that the document has been considered, and return a copy of the initialed form to the undersigned in accordance with MPEP Section 609.

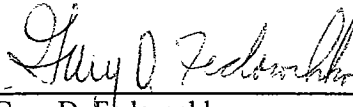
Applicants believe that no fee is necessary pursuant to 37 C.F.R. § 1.97(b). However, if a fee is due, the Office is authorized to charge Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: July 13, 2001

By:



Gary D. Fedorochko
Registration No. 35,509

1001 G Street, N.W.
Washington, D.C. 20001-4597
(202) 508-9100
GDF:lab

Please type a plus sign (+) inside this box →



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	09/804,383
Filing Date	March 13, 2001
First Named Inventor	Kenneth P. HINCKLEY et al.
Group Art Unit	2673
Examiner Name	Unknown
Attorney Docket Number	03797.00060

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		4,977,397		Kuo et al.	12-11-1990	
		5,208,903		Curry	05-04-1993	
		5,309,172		Fox	05-03-1994	
		5,698,822		Haneda et al.	12-16-1997	
		5,767,457		Gerpheide et al.	06-16-1998	
		5,825,356		Habib et al.	10-20-1998	
		5,847,695		Duncan et al.	12-08-1998	
		5,877,750		Hanson	03-02-1999	
		5,910,798		Kim	06-08-1999	
		5,914,702		Derocher et al.	06-22-1999	
		5,982,302		Ure	11-09-1999	
		6,040,821		Franz et al.	03-21-2000	
		6,046,728		Hume et al.	04-04-2000	
		6,097,371		Siddiqui et al.	08-01-2000	
		6,100,875		Goodman et al.	08-08-2000	
		6,166,723		Schena et al.	12-26-2000	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆
		Office ³	Number ⁴	Kind Code ⁵ (if known)				

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Computer Music Journal, Vol. 4, Number 1, Spring 1980	

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.